

REMARKS

In response to the Office Action mailed March 31, 2009, in connection with the above-identified application, Applicant's elect, with traverse, Group I, claims 1 to 8, 10, for prosecution in the above-identified application.

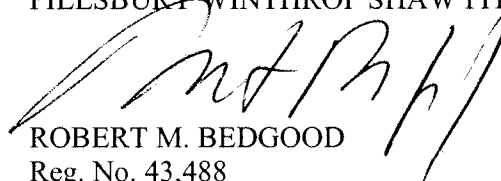
The claim amendments are supported throughout the specification or were made to address formalities. In particular, the amendment to recite " $\alpha$  and  $\beta$ " subunits of a nitrile hydratase is supported, for example, at page 2, lines 14-15. The amendment to recite "a first" plasmid containing at least one nucleic acid sequence encoding the  $\alpha$  subunit of a nitrile hydratase, and "a second plasmid containing at least one nucleic acid sequence encoding the  $\beta$  subunit of a nitrile hydratase," is supported, for example, at page 1, lines 5-9, page 5, lines 29-36; and page 16, lines 17-19, which disclose expression of nitrile hydrates subunits separately, on different plasmids. The remaining amendments were made to provide antecedent basis for the recitation of  $\alpha$  and  $\beta$  subunits, correct claim dependency or to improve grammar. Thus, as the amendments are supported throughout the specification or were made to address formalities, no new matter has been added and entry thereof is respectfully requested.

Applicants traverse the restriction for the following reasons: Claim 1, as amended, is directed to expression systems for simultaneous expression of nucleic acid sequences encoding  $\alpha$  and  $\beta$  subunits of a nitrile hydratase which comprises separate plasmids containing nucleic acid sequences encoding the respective  $\alpha$  and  $\beta$  subunits. The multi-plasmid expression system of nitrile hydratases of Group I claims, shares a technical relationship with the Group II and III inventions, since they involve a multi-plasmid expression system. The multi-plasmid expression system shows increased enzyme activity (see, for example, page 18, lines 3-5 and page 5, lines 29-36). Consequently, the technical feature of a multi-plasmid expression system can be considered as to make a contribution as a whole over the prior art.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLP



ROBERT M. BEDGOOD  
Reg. No. 43,488  
Tel. No. 858.509.4065  
Fax No. 858.509.4010

Date: June 24, 2009  
12255 El Camino Real, Suite 300  
San Diego, CA 92130-4088  
(619) 234-5000

---

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8 and/or 1.10\***

(When using Express Mail, the Express Mail label number is *mandatory*; Express Mail certification is *optional*.)

I hereby certify that, on the date shown below, this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: \_\_\_\_\_

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.